

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

CHRISTINE BARTEL,

Plaintiff,

Case No. 23-cv-10327
Hon. Matthew F. Leitman

v.

OLA ELSAID, *et al.*,

Defendants.

/

ORDER DENYING MOTION TO COMPEL (ECF No. 83)

On June 18, 2024, the Court entered a Judgment resolving a dispute between Plaintiff Christine Bartel and Defendants Ola Elsaide and Helping Hand Home Healthcare, LLC. (*See* Judgment, ECF No. 45.) As relevant here, that Judgment required Defendants to “take all steps reasonably necessary to assist Bartel” in obtaining Employee Tax Retention Credit (“ERTC”) refunds/checks to which she was entitled. (*Id.*, PageID.564.)

On January 29, 2025, Bartel filed a motion contending that Defendants violated the Judgment. (*See* Mot., ECF No. 83.) Specifically, Bartel alleges that in July 2024, the United States Internal Revenue Service (the “IRS”) sent the Defendants a “Form 105C letter regarding the Q2 2020 ERTC refund” that “indicated that additional information was needed to process the refund within 30

days of receipt” (the “Letter”). (Mot., ECF No. 83, PageID.804.) She claims that Defendants violated the Court’s Judgment by “fail[ing] to present” the Letter to the Court and “fail[ing] to forward [the Letter] to” Bartel. (Mot., ECF No. 83, PageID.804.) Bartel asks the Court to compel Defendants to provide the Letter to Bartel, hold Defendants in contempt, impose various sanctions, allow Bartel access to communications between Defendants and the IRS, require Defendants to prove that “the proper forms and authorization have been established,” and “refer [the] matter to the appropriate criminal authorities for investigation and prosecution.” (*See id.*, PageID.805-806.)

Bartel’s motion is **DENIED**. Bartel has not presented sufficient evidence to persuade the Court that Defendants violated the Judgment. She merely contends – generally – that an unidentified IRS agent told her (Bartel) that the IRS mailed the Letter to Defendants. (Mot., ECF No. 83, PageID.804.) Bartel submits no affidavits, sworn statements, or documentary proof to support her allegations. And Defendants deny that they received the Letter. (*See* Resp., ECF No. 87, PageID.817.) On this record, the Court declines to find that Defendants violated the Judgment.¹

¹ The Court acknowledges that there is currently another later-filed motion pending by Bartel seeking similar relief to the relief sought in the instant motion. (*See* Mot. for Immediate Restitution, ECF No. 88.) The Court will review and decide that motion in due course.

For all of the reasons explained above, Bartel's motion is **DENIED**.

IT IS SO ORDERED.

s/Matthew F. Leitman

MATTHEW F. LEITMAN

UNITED STATES DISTRICT JUDGE

Dated: April 29, 2025

I hereby certify that a copy of the foregoing document was served upon the parties and/or counsel of record on April 29, 2025, by electronic means and/or ordinary mail.

s/Holly A. Ryan

Case Manager

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